

Introduced by Senator Chesbro

February 2, 2004

An act to add Section 4217 to the Government Code, relating to public works.

LEGISLATIVE COUNSEL'S DIGEST

SB 1166, as introduced, Chesbro. Public works.

Existing law requires every operator of a subsurface installation, except the Department of Transportation, to be a member of a regional notification center. A regional notification center provides advanced warning of excavations or other work close to existing subsurface installations for the purpose of protecting those installations from damage.

This bill would authorize a design professional, defined as a person holding a valid professional engineer's license or a valid professional land surveyor's license, to obtain information regarding the location of subsurface installations from the appropriate regional notification center if the design professional is retained to perform a fixed work, geotechnical engineering, soils engineering, or land surveying, and needs to know the location of subsurface installations.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4217 is added to the Government Code,
- 2 to read:
- 3 4217. (a) A design professional may obtain information
- 4 regarding the location of subsurface installations from the

1 appropriate regional notification center if either of the following
2 apply:

3 (1) The design professional is retained to prepare or assist in the
4 preparation of plans and specifications for a fixed work, and the
5 plans require the design professional to show the location or
6 approximate location of subsurface installations.

7 (2) The design professional is retained to perform geotechnical
8 engineering, soils engineering, or land surveying and the design
9 professional needs to know the location or approximate location
10 of subsurface installations to perform geotechnical engineering,
11 soils engineering, or land surveying.

12 (b) A design professional may also obtain information
13 regarding the location of subsurface installations in the manner as
14 otherwise provided in this article with respect to other classes of
15 individuals or entities. The design professional may obtain the
16 information in a timely manner to perform the engineering or
17 surveying work involved.

18 (c) The regional notification center shall assign an inquiry
19 identification number to every design professional who contacts
20 the center and requests information. The inquiry identification
21 number shall be valid for the duration of the engineering or
22 surveying work performed by the design professional. The
23 assignment of a valid inquiry identification number to a design
24 professional does not excuse an excavator from providing a timely
25 inquiry to the appropriate regional identification center pursuant
26 to Section 4216.2.

27 (d) For purposes of this section, a “design professional” means
28 a person holding a valid professional engineer’s license issued
29 pursuant to Chapter 7 (commencing with Section 6700) of
30 Division 3 of the Business and Professions Code, or a person
31 holding a valid professional land surveyor’s license issued
32 pursuant to Chapter 15 (commencing with Section 8700) of
33 Division 3 of the Business and Professions Code.

34 (e) Nothing in this section shall be construed to subject a design
35 professional to the liabilities applicable to an excavator pursuant
36 to this article.

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